



AF/1652  
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<b>NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO BOARD OF PATENT APPEALS AND INTERFERENCES</b>			ATTORNEY'S DOCKET NO.: 2862-US	
SERIAL NO: 09/634,252	FILING DATE: August 7, 2000	EXAMINER: W. W. Moore	GROUP ART UNIT 1652	
IN RE APPLICATION OF: Douglas P. Cerretti				
For: METALLOPROTEASE DISINTEGRIN ADAM23 (SBPH3-17) NUCLEIC ACIDS				
<b>TO THE COMMISSIONER FOR PATENTS:</b>				
Applicant hereby appeal to the Board of Patent Appeals and Interferences from the decision dated <u>May 29, 2003</u> of the Primary Examiner finally rejecting claim(s) <u>34-36</u> .				
<input type="checkbox"/> Notice of Appeal fee not required (fee paid in prior appeal of this application)				
<input checked="" type="checkbox"/> Notice of Appeal fee \$330.00 (37 CFR 1.17 (b))				
<input type="checkbox"/> Applicant(s) petition(s) under 37 CFR 1.136 for an extension of time to file the foregoing Notice of Appeal as follows:				
<input type="checkbox"/> One month (\$110.00)				
<input type="checkbox"/> Two months (\$420.00)				
<input type="checkbox"/> Three months (\$950.00)				
A petition to extend the time for response to the final rejection by three months has been filed on November 18, 2003 with the Amendment and Response After Final Rejection, extending the period for response to November 29, 2003.				
Please charge Deposit Account No. 09-0089 in the name of Immunex Corporation in the amount of \$330.00. The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 09-0089. An original and one copy are enclosed.				
Please send all future correspondence to: Immunex Corporation/SAS Law Department 51 University Street Seattle, Washington 98101 (206) 587-0430			Respectfully submitted,  Suzanne A. Sprunger, Ph.D. Attorney for Applicant Registration No.: 41,323 Phone: (206) 265-4071 Date: November 19, 2003	

11/26/2003 ADD01 00000118 090089 09634252  
01 FC:1401 330.00 DA

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

November 19, 2003  
Date

Elizabeth M. McCarthy